

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY
STATE OF MISSOURI

GAIL DRAHOS,)	
	Plaintiff,) Cause No.:
))
v.)	Division:
))
BUDGET RENT A CAR SYSTEM, INC.,)	JURY TRIAL DEMANDED
	Defendant,)
Serve at:))
CSC-Lawyers Incorporating Service Co.))
221 Bolivar Street))
Jefferson City, MO 65101))
))
And))
))
AVIS RENT A CAR SYSTEM, LLC,))
	Defendant.)
Serve at:))
CSC-Lawyers Incorporating Service Co.))
221 Bolivar Street))
Jefferson City, MO 65101))

PETITION FOR DAMAGES – PERSONAL INJURY

COMES NOW Plaintiff, Gail Drahos, by and through undersigned counsel, and for her cause of action states as follows:

ALLEGATIONS COMMON TO ALL COUNTS

1. Plaintiff Gail Drahos, at all times material hereto is, and was, a resident of San Bernardino County, California.
2. Defendant Budget Rent A Car System, Inc. (“Budget”), at all times material hereto is, and was, a Delaware Corporation registered to conduct business in Missouri.
3. Defendant Avis Rent A Car System, LLC (“Avis”), at all times material hereto is, and was, a Delaware Limited Liability Company registered to conduct business in Missouri.



4. Defendant Budget, at all times material hereto, operated an automobile rental business located at 10482 Natural Bridge Road, in St. Louis County, Missouri.
5. Defendant Avis, at all times material hereto, owned the property located at 10482 Natural Bridge Road, in St. Louis County, Missouri ("the Premise").
6. On May 15, 2018, Plaintiff was at the Premise returning a rental car to Budget.
7. At that time and place, Plaintiff was walking across the parking lot at the Premise.
8. Previous to that time, but at the same place, Defendant Budget and/or Defendant Avis attempted to remove a cement post located on the parking lot at the Premise.
9. After removing most of the cement post, Defendant Budget and/or Defendant Avis left a stub of the cement post remaining on the parking lot at the Premise.
10. At that time and place, Plaintiff tripped over the stub of the cement pole and fell to the ground.

COUNT I – PREMISE LIABILITY
Against Budget Rent A Car System, Inc.

11. Plaintiff realleges Paragraphs 1 through 10 as if fully set forth herein.
12. Defendant Budget knew, or by using ordinary care, could have known of this dangerous condition.
13. Defendant Budget failed to use ordinary care to remove the cement post so as not to cause injury to its invitees.
14. Defendant Budget failed to use ordinary care to warn of the dangerous condition at the Premise.
15. As a direct and proximate result of such failure, Plaintiff suffered injury to her back, neck, left wrist and hand, right wrist and hand, right ankle, and right knee.

16. As a direct and proximate result of the injuries described above, Plaintiff has suffered, and will suffer in the future, from permanent physical and emotional pain.
17. As a direct and proximate result of the injuries described above, Plaintiff sustained suffering and pain, and her ability to enjoy life is diminished and impaired, all of which will continue into the future.
18. As a direct and proximate result of the injuries described above, Plaintiff has incurred medical expenses to cure or relieve the effects of her injuries.
19. As a direct and proximate result of the injuries described above, Plaintiff will incur future medical expenses to cure or relieve the effects of her injuries.
20. As a direct and proximate result of the injuries described above, Plaintiff has lost, and will lose in the future, income and wages.

WHEREFORE, Plaintiff Gail Drahos prays for judgment against Defendant Budget Rent A Car System, Inc. for a sum in excess of Twenty Five Thousand Dollars (\$25,000.00) that will fairly and justly compensate her for her damages, pre-judgment interest, costs incurred, and for such other relief as this Court deems just and proper.

COUNT II – PREMISE LIABILITY
Against Avis Rent A Car System, LLC

21. Plaintiff realleges Paragraphs 1 through 20 as if fully set forth herein.
22. Defendant Avis knew, or by using ordinary care, could have known of this dangerous condition.
23. Defendant Avis failed to use ordinary care to remove the cement post so as not to cause injury to its invitees.
24. Defendant Avis failed to use ordinary care to warn of the dangerous condition at the Premise.

25. As a direct and proximate result of such failure, Plaintiff suffered injury to her back, neck, left wrist and hand, right wrist and hand, right ankle, and right knee.
26. As a direct and proximate result of the injuries described above, Plaintiff has suffered, and will suffer in the future, from permanent physical and emotional pain.
27. As a direct and proximate result of the injuries described above, Plaintiff sustained suffering and pain, and her ability to enjoy life is diminished and impaired, all of which will continue into the future.
28. As a direct and proximate result of the injuries described above, Plaintiff has incurred medical expenses to cure or relieve the effects of her injuries.
29. As a direct and proximate result of the injuries described above, Plaintiff will incur future medical expenses to cure or relieve the effects of her injuries.
30. As a direct and proximate result of the injuries described above, Plaintiff has lost, and will lose in the future, income and wages.

WHEREFORE, Plaintiff Gail Drahos prays for judgment against Defendant Avis Rent A Car System, LLC. for a sum in excess of Twenty Five Thousand Dollars (\$25,000.00) that will fairly and justly compensate her for her damages, pre-judgment interest, costs incurred, and for such other relief as this Court deems just and proper.

Respectfully Submitted,

CHASSANIOL & MARTY, LLC

/s/ Andrew H. Marty

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